

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION**

CIVIL ACTION NO. 07-320-C

MARILYN HILL,

PLAINTIFF,

V.

ORDER FOR MEETING AND REPORT

MERCK AND COMPANY, INC.,

DEFENDANT.

* * * * *

Pursuant to the Federal Rules of Civil Procedure, the court hereby **ORDERS:**

(1) No later than thirty (30) days from the date of entry and service of this order, counsel for the parties shall conduct the meeting of parties required by Rule 26(f) to discuss the possibilities for a prompt settlement or resolution of the case and to develop a proposed discovery plan.

(2) At the time of the meeting, counsel for the parties shall exchange the disclosures required by Rule 26(a)(1) and, in the future, shall make supplemental disclosures when required by Rule 26(e).

(3) No later than ten (10) days after the meeting, counsel for the parties shall file a written joint report outlining the proposed discovery plan. This report shall substantially conform to Federal Rules of Civil Procedure Appendix Form 35, and shall advise the court as to the following information:

(a) the parties' views and proposals required by Rule 26(f);

(b) the length of time counsel reasonably believe will be necessary to join other parties and to amend the pleadings;

(c) the length of time counsel reasonably believe will be necessary to file motions;

(d) the length of time counsel reasonably believe will be necessary to complete all pretrial discovery, including expert witness discovery;

(e) the length of time counsel reasonably believe will be necessary for the parties to make the expert disclosures required by Rule 26(a)(2), with these disclosures to be made during the pretrial discovery phase of the case;

(f) the probable length of trial and whether there will be issues to submit to a jury;

(g) the dates that are mutually convenient with counsel to assign this case for trial;


(h) whether the parties desire a scheduling conference before entry of a scheduling order;

(i) the parties' decision as to whether the action may be referred to a United States Magistrate Judge for all further proceedings including trial pursuant to 28 U.S.C. § 636(c);

(j) if this is a case in which qualified immunity is a defense, please advise the court how much discovery will be needed to address this issue and the length of time needed for this discovery;

- (k) whether this is a product liability case; and
- (l) whether this is an E.R.I.S.A. case.

Signed on July 16, 2007


Jennifer B. Coffman, Judge
United States District Court